

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

FREDDIE CRAYTON,

Petitioner,

-vs-

Case No. 8:21-cv-2912-WFJ-AEP

SECRETARY, DEPARTMENT
OF CORRECTIONS,

Respondent.

_____ /

ORDER

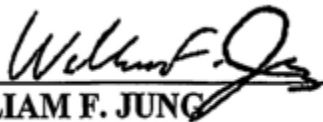
Mr. Crayton, a former Florida prisoner, filed a petition for the writ of habeas corpus under 28 U.S.C. § 2254 (“petition”) (Doc. 1). To the extent he challenges his 2003 convictions, the Court lacks jurisdiction to adjudicate the petition because Mr. Crayton previously sought and was denied federal habeas relief in this Court regarding those convictions (*see Crayton v. Secretary, Dept. of Corrections*, Case No. 8:14-cv-2234-CEH-MAP (M.D.Fla.)), and he has not shown that he has received authorization from the Eleventh Circuit Court of Appeals to file a successive habeas petition. *See* 28 U.S.C. § 2244(b)(3)(A); *Gilreath v. State Bd. of Pardons & Paroles*, 273 F.3d 932, 933 (11th Cir. 2001). And to the extent he attempts to appeal a decision from the Florida Second District Court of Appeal affirming the denial of his 2021 motion for an evidentiary hearing by the state circuit court, federal courts do not act as appellate courts over state courts. *District of Columbia*

Court of Appeals v. Feldman, 460 U.S. 462, 482–86 (1983); *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923); *Staley v. Ledbetter*, 837 F.2d 1016, 1017 (11th Cir.1988) (“The federal courts are not a forum for appealing state court decisions.”).

Accordingly:

1. The petition for the writ of habeas corpus (Doc. 1) is **DISMISSED** without prejudice as an unauthorized second or successive petition.
2. The **Clerk** must send to Mr. Crayton the Eleventh Circuit’s form for second or successive habeas corpus petitions under 28 U.S.C. § 2244(b), terminate all pending motions, and close this case.

ORDERED in Tampa, Florida, on January 7, 2022.



WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE

Copy to: Freddie Crayton, *pro se*